

SPW

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1458
Alexandria, Virginia 22313-1458
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
--------------------	------------------------	-----------------------	------------------------

10/768,724

01/30/2004

Takeaki Ebihara

AMAT/8736/DSM/BCVD/JW

PATENT COUNSEL
APPLIED MATERIALS, INC.
Legal Affairs Department
P.O. Box 450A
Santa Clara, CA 95052

CONFIRMATION NO. 5121

FORMALITIES LETTER



OC000000012993288

Date Mailed: 06/18/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.18(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$54 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$954 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$54

BEST AVAILABLE COPY

10/20/2004 RHEBRIGHT 00000124 501074 10768724

01 FC:1001 790.00 DA
02 FC:1051 130.00 DA
03 FC:1202 54.00 DA

- \$54 for 3 total claims over 20.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

- A new oath or declaration, identifying this application number is required. The oath or declaration does not comply with 37 CFR 1.63 in that it:
- does not identify the residence (e.g., city and either state or foreign country) of each inventor.
- does not identify the complete mailing or post office address of each inventor.
- does not identify the citizenship of each inventor.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

T. TU
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

BEST AVAILABLE COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Ebihara, et al.

Serial No.: 10/768,724

Confirmation No.: 5121

Filed: January 30, 2004

For: Techniques for the Use of
Amorphous Carbon (APF)
for Various Etch and Litho
Integration Schemes

§
§
§
§
§
§
§
§
§
§
§

Group Art Unit: Unknown

Examiner: Unknown

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING
37 CFR 1.8

I hereby certify that this correspondence is being deposited on
10/14, 2004 with the United States Postal Service as
First Class Mail in an envelope addressed to: Mail Stop
Missing Parts, Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450.

10/14/04
Date

Keith M. Tackett
Signature

Dear Sir:

RESPONSE TO NOTICE TO FILE MISSING PARTS

Applicant files this Response to a Notice to File Missing Parts mailed June 18, 2004, within the two-month period for reply extended two months to expire on October 18, 2004. The notice (copy enclosed) indicates that the application was filed without the statutory basic filing fee and without a signed oath or declaration.

Enclosed for filing in the above-referenced application in response to the missing parts request are the signed declaration and an authorization for payment of the surcharge and the required fee.

Respectfully submitted,

Keith M. Tackett

Keith M. Tackett

Registration No. 32,008

MOSER, PATTERSON & SHERIDAN, L.L.P.

3040 Post Oak Blvd. Suite 1500

Houston, TX 77056

Telephone: (713) 623-4844

Facsimile: (713) 623-4846

Attorney for Applicant(s)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Ebihara, et al.

Serial No.: 10/768,724

Confirmation No.: 5121

Filed: January 30, 2004

For: Techniques for the Use of
Amorphous Carbon (APF)
for Various Etch and Litho
Integration Schemes

§
§
§
§
§
§
§
§
§
§

Group Art Unit: Unknown

Examiner: Unknown

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING
37 CFR 1.8

I hereby certify that this correspondence is being deposited on
10/14, 2004 with the United States Postal Service as
First Class Mail in an envelope addressed to: Mail Stop
Missing Parts, Commissioner for Patents, P.O. Box 1450
Alexandria, VA 22313-1450.

10/14/04
Date

Keith M. Tackett
Signature

Dear Sir:

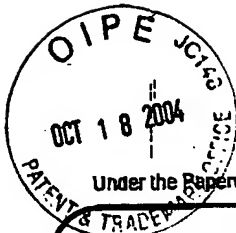
NOTICE OF CORRECTION OF INVENTORSHIP

Applicant notes that the enclosed declaration submitted in response to the Notice to File Missing Parts mailed June 18; 2004, lists fewer inventors than the previously submitted un-executed declaration. Applicant submits that the executed declaration filed herewith identifies the correct list of inventors for U.S. Patent Application Serial No. 10/768,724, and requests that Takeaki Ebihara, Marc Levenson, and Toshihiro Oga be removed from the list of inventors.

Respectfully submitted,

Keith M. Tackett

Keith M. Tackett
Registration No. 32,008
MOSER, PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd. Suite 1500
Houston, TX 77056
Telephone: (713) 623-4844
Facsimile: (713) 623-4846
Attorney for Applicant(s)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)
974.00

Complete if Known

Application Number	10/768,724
Filing Date	JANUARY 30, 2004
First Named Inventor	EBIHARA, ET AL
Examiner Name	UNKNOWN
Art Unit	UNKNOWN
Attorney Docket No.	AMAT/8736/DSM/BCVD/JW

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None
Order

☒ Deposit Account

Deposit
Account
Number

50-1074/8736/DSM/BCVD/JW

Deposit
Account
Name

APPLIED MATERIALS, INC.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☐ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee
to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	780	2001	395	Utility filing fee	780
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(\$) 780

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	23	-20 =	3	X	18	=	54
Independent Claims	3	-3 =	0	X	0	=	0
Multiple Dependent				X		=	0

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	16	2202	8	Claims in excess of 20	
1201	86	2201	44	Independent claims in excess of 3	
1203	300	2203	150	Multiple dependent claim, if not paid	
1204	86	2204	44	Reissue independent claims over original patent	
1205	16	2205	8	Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2) (\$)
54

or number previously paid, if greater, For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1091	190	2091	85	Surcharge - late filing fee or oath	190
1092	50	2092	25	Surcharge - late provisional filing fee or cover sheet	
1093	120	2093	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920	1804	920	Requesting publication of SIR prior to Examiner action	
1805	1,840	1805	1,840	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	480	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	240	2402	170	Filing a brief in support of an appeal	
1403	200	2403	150	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	480	2502	245	Design issue fee	
1603	680	2603	330	Plant issue fee	
1480	130	2480	130	Petitions to the Commissioner	
1607	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Sheet	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR § 1.128(a))	
1810	780	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) _____

Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)
130

SUBMITTED BY

Name (Print/Type)

ROBERT W. MURPHY

Registration No. (Attorney/Agent)

25,436

Telephone

713-623-4944

Signature

Robert W. Murphy

Date

10/14/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 (1-800-785-8199) and select option 2.

BEST AVAILABLE COPY